

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

J. MARK LANE AND JAMES SEARS,

Plaintiffs,

-against-

MIRIAM E. ROCAH, in her official capacity as District Attorney
for the County of Westchester, New York, and STEVEN G.
JAMES, in his official capacity as Superintendent of the New York
State Police,

Defendants.

No. 22-cv-10989 (KMK)

DECLARATION

MICHAEL W. DEYO, pursuant to § 1746 of Title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. I am Counsel for the New York State Police ("NYSP"). This Declaration is based upon my personal knowledge and my review of documents and databases maintained by the NYSP in the normal course of business.

2. Effective January 15, 2013, New York Penal Law § 400.00 was amended by adding a new subdivision 16-a, which required owners of assault weapons, as defined in Penal Law § 265.00(22)(e) or (f), lawfully possessed prior to January 15, 2013, to register such weapons with NYSP no later than January 14, 2014, or to amend their pistol permit to register weapons that are registerable on a pistol license, in order to remain in lawful possession of those weapons after the registration deadline.

3. The registration information submitted to NYSP includes the registrant's name, date of birth, gender, race, residential address, social security number and a description of each weapon being registered. Penal Law § 400.00(16-a)(a).

4. NYSP maintains a database that contains information regarding individuals who have registered assault weapons within the State pursuant to Penal Law 400.00(16-a), and the weapons so registered (the “assault weapon registry”).

5. According to information maintained by NYSP, as of April 30, 2024, the assault weapon registry contains a total of 24,720 individuals who have registered one or more assault weapons with NYSP since Penal Law 400.00(16-a) became effective.

6. According to information maintained by NYSP, as of April 30, 2024, the assault weapon registry contains a total of 42,965 registered assault weapons.

7. I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct.

Dated: Albany, NY
May 13, 2024


Michael W. Deyo